

REMARKS

Reconsideration and allowance of the claims are requested in view of the following remarks. Claims 1-4, 6-7, 9, 11, 14-18, 20 and 30-31 have been previously amended. Claims 5, 10, 12-13, 19, 21 and 23-29 have been previously canceled without prejudice or disclaimer. New claims 33-44 have been previously presented. Claims 1-4, 6-9, 11, 14-18, 20, 22 and 30-44 are pending in the present application, with claims 1, 15, 16, 30 and 40 being independent.

In the Notice of Non-responsive Amendment (hereinafter “the Notice”) mailed August 24, 2006, the Office asserted that the Amendment filed on June 5, 2006 (hereinafter “the Amendment”), was not fully responsive to the prior Office Action because it did not present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references (citing 37 CFR 1.111). In particular, the Notice stated:

Applicant’s response does not particularly address or present the required arguments for newly added claims 40-44 . . . applicants are also requested to point out where support is found for both the amended and newly presented independent claims in light of the lengthy specification (see page 2).

Applicants provide the following remarks to address the issues presented in the Notice.

1. New Claims 40-44

New independent claim 40 recites, *inter alia*:

A method for managing bandwidth in a system for displaying enhanced broadcast television content comprising the steps of:

a) receiving a plurality of data feeds in accordance with an associated priority level, a portion of each data feed having an associated event identifier, and each event identifier having an associated priority level wherein a first event identifier of a first data feed is assigned a real-time priority level based on a first type of the first data feed to enable the associated portion of the data feed to be received at a highest priority, and a second event identifier of a second data feed is assigned a priority level based on

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a second type of a second data feed . . . (emphasis added).

Therefore, new claim 40 includes the feature of assigning priority levels based on the type of a data feed. As discussed in the Amendment, none of the cited references teach or suggest this feature. For at least this reason, and the other features recited therein, new claim 40 is allowable over the applied references.

Claims 41-44 depend on claim 40. As discussed above, claim 40 is allowable. For at least this reason, and the additional features recited therein, new claims 41-44 are also allowable

2. Support for Amended and Newly Presented Independent Claims

Support for the amended and newly presented independent claims may be found in the specification and claims as originally filed. For example, support may be found in the specification at least at page 4, line 4 – page 5, line 2; page 7, lines 3-17; and page 16, line 3 – page 17, line 10. No new matter has been added with respect to the claim amendments or the newly presented claims in the Amendment.

3. Conclusion

Accordingly, in view of the above remarks and the previously filed Amendment, it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the present application is requested. Based on the foregoing, applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this response to the Notice of Non-responsive Amendment, that the application is not in condition for allowance, the Examiner is requested to call the applicants' attorney at the telephone number listed below.

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PATENT

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
Microsoft Corporation

Date: 9/25/06

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I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

September 25, 2006

Date



Signature

Rimma Oks

Type or Print Name

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